Kansas Department of Agriculture Division of Water Resources CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
19722	11/15/2018	C1	04	03
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
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8a. Applicant(s) New to system □	Person ID <u>30923</u> Add Seq# <u>1</u>	8c. Landown New to sy		Person IDAdd Seq#
WAYNE & EVALENA REY TRUSTS 601 W CITY LIMITS ST HUGOTON KS 67951-224				
	4 6 7 9 7 9 9			
8b. Landowner(s) New to system □	Person ID Add Seq#	8d. WUC New to sy	rstem 🗌	Person ID Add Seq#
8A				
		8A NO	CHANGE	•
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	ly: 12/31/2019	N & P Date to	o Comply:
☐ Anti-Reverse Meter ☐ Meter	Seai	□ N & P Form	☐ Water Tube ☐ I	Driller Copy ☐ H & E Letter
☐ Conservation Plan Date Requir	ed: Da	ite Approved:	Date t	o Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 11/08	_

File No.	19722			11. (Count	ty: S	V	Ва	sin: CI	MARR	ON R	IVER			Stre	eam:							Fo	rmation (Code:	Special Use:	
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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>MEMORANDUM</u>

TO: Files

DATE:

November 8, 2018

FROM: Richelle A. Krueger

RE:

Water Right

File Nos. 19,702; 19,722 and

23,923

Wayne and Evalena Reynolds, trustees, on behalf of Wayne and Evalena Reynolds Living Trusts, water right owners, filed applications for approval to change the authorized place of use for the referenced file numbers, authorized for groundwater for irrigation use in the Cimarron River Basin.

The referenced files do not appear abandoned as per K.S.A. 82a-718.

File Nos. 19,702 and 23,923 are authorized a total of 448 acre-feet of water, have no overlaps in the authorized points of diversion, and form an exact overlap in their 274-acre place of use all located in Sections 22 and 28, Township 31 South, Range 38 West, Stevens County. File No. 19,722 has no overlaps and is authorized 260 acre-feet for 153 acres in Section 27 of the aforementioned township and range. The applicants propose to create an exact overlap in the place of use among the three files for a total of 427 acres pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. There will be no net increase in authorized acres and no new acres will be irrigated. The total quantity of water to be authorized for the proposed place of use, 708 acre-feet, will irrigate the 427 acres with 1.66 acre-feet per acre. The 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Stevens County is 1.45 acre-feet per acre, so the proposal appears reasonable.

The same local source of supply will not change.

Southwest Kansas Groundwater Management District No. 3 recommended approval of the referenced applications in a letter dated November 7, 2018 from Jason Norquest, Assistant Manager.

In an e-mail dated November 8, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office, recommended approval of the applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it is recommended the applications be approved.

Richelle A. Krueger Environmental Scientist

DEPARTMENT OF AGRICULTURE 1320 Research Park Drive Manhattan, KS 66502

PHONE: (785) 564-6700 Fax: (785) 564-6777

STATE OF KANSAS



900 SW JACKSON, ROOM 456 TOPEKA, KS 66612 PHONE: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON KS 67951-2247

November 16, 2018

FILE COPY

RE: Water Right, File Nos. 19,702, 19,722 and 23,923

Dear Sir or Madam:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely.

Change Application Unit Supervisor

Water Appropriation Program

BAT:rak

pc: Garden City Field Office

Groundwater Management District No. 3



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 19,722

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Wayne and Evalena Reynolds, trustees, on behalf of Wayne and Evalena Reynolds Living Trusts, 601 West City Limits Street, Hugoton, Kansas 67951-2247, received in this office on September 18, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated April 2, 2018, reducing the authorized place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

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22	318	38W									40.00	40.00	40.00	40.00					160.00
27	31S	38W					33.00	40.00	40.00	40.00									153.00
28	318	38W	28.50	28.50	28.50	28.50													114.00

a total of 427.00 acres in Township 31 South, Range 38 West, Stevens County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 19,722, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated January 8, 1988, as modified and amended by the aforementioned order.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this Stady of November

, 2018, in Manhattan, Riley County, Kansas.

Lane P. Letourneau, P.G.

Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this day of November, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

DANIELLE WILSON

My Appointment Expires

August 23, 2020

Notary Public

CERTIFICATE OF SERVICE

On this day of ownber, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 19,722, dated over 15th Outside Diswas mailed postage prepaid, first class, US mail to the following:

WAYNE & EVALENA REYNOLDS LIVING TRUSTS 601 W CITY LIMITS ST HUGOTON KS 67951-2247

With photocopies sent to:

Garden City Field Office Groundwater Management District No. 3

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR 1-121 (Revised 04/5/2018)

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

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File No. <u>19722</u>

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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION

SUPPLEMENTAL SHEET

FILE NO. 19722 MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

SEP 1 8 2018

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Sec. 22 28	Twp. 31 31	Range 38 38	NE1/4 28.50	AME: ESS: NI NW%	WAYN 601 W E¼ SW¼ 28.50	SE1/4 28.50	VALEI LIMITS NE%	NA RE S ST, I	YNOL HUGO V¼	DS LI\	/ING T (S 679	951-22 sv NW1/4	\$ 47 v¼ sw¼	SE¼		SE	=1/4		ACRES 160
Sec. 22 28	Twp. 31 31	Range 38 38	NE1/4 28.50	AME: ESS: NI NW¼ 28.50 AME: ESS:	WAYN 601 W E¼ SW¼ 28.50	SE1/4 28.50	VALEI LIMITS NE%	NA RES ST, I	YNOL HUGO V¼	DS LI\	/ING T (S 679	SV NW1/40	\$ 47 v¼ sw¼	SE¼		SE NW½	=1/4		ACRES 160 114 TOTAL
Sec. 22 28	Twp. 31 31 wner o	Range 38 38	NE%	NIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	WAYN 601 W 5W/ 28.50	SE% 28.50	VALEI LIMIT: NE%	NA RES ST, I	YNOL HUGO N¼ SW¼	DS LINTON F	/ING T (S 679	SV SV	S 447 v ¹ / ₄ sw ¹ / ₄ 40	SE1/4 40		SE NW½	SW%	SE¼	160 114
Sec. 22 28	Twp. 31 31 wner o	Range 38 38	NE%	NIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	WAYN 601 W 5W/ 28.50	SE% 28.50	VALEI LIMIT: NE%	NA RES ST, I	YNOL HUGO V'4 SW'4	DS LINTON F	NE1/4	SV SV	S 47 V¼ SW¼ 40	SE1/4 40	NE¼	SE NW½	SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL
Sec. 22 28	Twp. 31 31 wner o	Range 38 38	NE%	NIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	WAYN 601 W 5W/ 28.50	SE% 28.50	VALEI LIMIT: NE%	NA RES ST, I	YNOL HUGO V'4 SW'4	DS LINTON F	NE1/4	SV SV	S 47 V¼ SW¼ 40	SE1/4 40	NE¼	SE NW½	SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL
Sec. 22 28	Twp. 31 31 wner o	Range 38 38	NE%	NIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	WAYN 601 W 5W/ 28.50	SE% 28.50	VALEI LIMIT: NE%	NA RES ST, I	YNOL HUGO V'4 SW'4	DS LINTON F	NE1/4	SV SV	S 47 V¼ SW¼ 40	SE1/4 40	NE¼	SE NW½	SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL
Sec. 22 28	Twp. 31 31 wner o	Range 38 38	NE%	NIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	WAYN 601 W 5W/ 28.50	SE% 28.50	VALEI LIMIT: NE%	NA RES ST, I	YNOL HUGO V'4 SW'4	DS LINTON F	NE1/4	SV SV	S 47 V¼ SW¼ 40	SE1/4 40	NE¼	SE NW½	SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL
Sec. 22 28 On Sec.	Twp. 31 31 wner o	Range 38 38 Range F Land	NE½ 28.50 NE½ NE½ NE½ NE½	AME: ESS: NI NW½ 28.50 AME: ESS: NI NW¼	WAYN 601 W 5W/4 28.50	SE% 28.50	NE%	NA RES ST, I	YNOL HUGO V'4 SW'4	DS LINTON F	NE1/4	SV SV	S 47 V¼ SW¼ 40	SE1/4 40	NE¼	SE NW½	SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL
Sec. 22 28 On Sec.	Twp. 31 31 wner o	Range 38 38 Range F Land	NE½ 28.50 NE½ NE½ NE½ NE½	AME: ESS: NIII NW1/4 28.50 AME: ESS: NIII NW1/4	WAYN 601 W 5W% 28.50	SE% 28.50	NE%	NA RES ST, I	YNOL HUGO V¼ SW¼ SW¼	DS LINTON F	NE1/4	SV NW1/4	S	SE1/4 40	NE¼	SE NW1/4	SW1/4 SW1/4 SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL ACRES
Sec. 22 28 On Sec.	Twp. 31 31 wner o	Range 38 38 Range F Land	NE½ 28.50 NAADDR	AME: ESS: NI NW¼ 28.50 AME: ESS: NI NW¼	WAYN 601 W 5W% 28.50	SE% 28.50	NE%	NA REST, I	YNOL HUGO V¼ SW¼ N¼ SW¼	SE%	NE1/4 NE1/4	SV NW1/4 SV SV	S	SE¼ 40	NE¼	SE NW½	SW1/4 SW1/4 SW1/4	SE¼	ACRES 160 114 TOTAL
Sec. 22 28 On Sec.	Twp. 31 31 wner o	Range 38 38 Range F Land	NE½ 28.50 NAADDR	AME: ESS: NI NW¼ 28.50 AME: ESS: NI NW¼	WAYN 601 W 5W% 28.50	SE% 28.50	NE%	NA REST, I	YNOL HUGO V¼ SW¼ SW¼	SE%	NE1/4	SV NW1/4 SV SV	S	SE1/4 40 SE1/4	NE¼	SE NW½	SW1/4 SW1/4 SW1/4	SE¼	TOTAL TOTAL
Sec. 22 28 On Sec.	Twp. 31 31 wner o	Range 38 38 Range F Land	NE½ 28.50 NAADDR	AME: ESS: NI NW¼ 28.50 AME: ESS: NI NW¼	WAYN 601 W 5W% 28.50	SE% 28.50	NE%	NA REST, I	YNOL HUGO V¼ SW¼ N¼ SW¼	SE%	NE1/4 NE1/4	SV NW1/4 SV SV	S	SE¼ 40 SE¼ Rec	NE%	SE NW1/4	SW1/4 SW1/4 SW1/4	SE¼	TOTAL TOTAL
Sec. 22 28 On Sec.	Twp. 31 31 wner o	Range 38 38 Range F Land	NE½ 28.50 NAADDR	AME: ESS: NI NW¼ 28.50 AME: ESS: NI NW¼	WAYN 601 W 5W% 28.50	SE% 28.50	NE%	NA REST, I	YNOL HUGO V¼ SW¼ N¼ SW¼	SE%	NE1/4 NE1/4	SV NW1/4 SV SV	S	SE¼ 40 SE¼ Rec	NE¼	SE NW1/4	SW1/4 SW1/4 SW1/4	SE¼	TOTAL TOTAL

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION

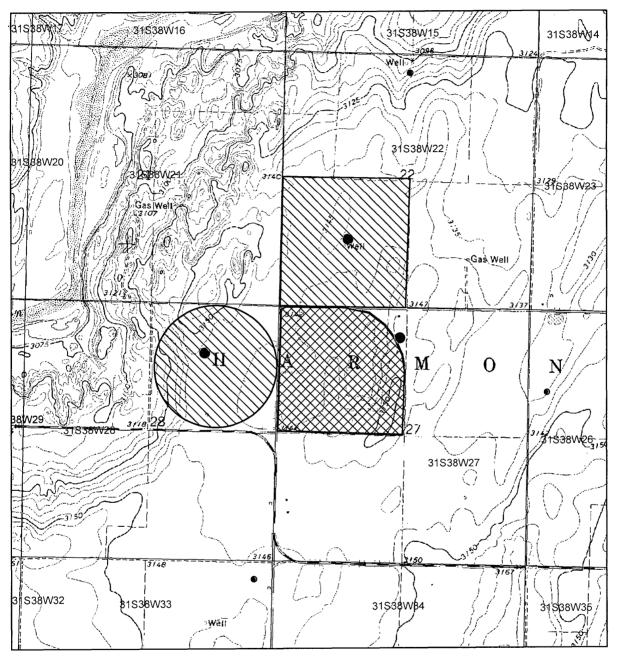
SUPPLEMENTAL SHEET FILE NO. _____

SEP 1 8 2018

RECEIVED

Presently authorized point of diversion:	Garden City Field Office
One in the Quarter of the of Section , Township in County, Kansas, feet	Ouarter of the Ouarter
of Section Township	South Range (F/W)
in County Kansas feet	North feet West of Southeast corner of section.
Authorized Rate Authorized Quantity	Denth of well (feet)
Authorized Rate Authorized Quantity (DWR use only: Computer ID No GPS	feet North feet West)
☐ This point will not be changed ☐ This point will be cl	hanged as follows:
	_
Proposed point of diversion: (Complete only if change is r	<u>equested)</u>
One in the Quarter of the	Quarter of the Quarter
of Section . Township	South, Range (E/W),
in County, Kansas, feet	North feet West of Southeast corner of section.
Proposed Rate Proposed Quantity	North feet West of Southeast corner of section. Proposed well depth (feet)
This point is: Additional Well Geo Center List other w	vater rights that will use this point
Presently authorized point of diversion:	
	Overtee of the
One in theQuarter of the	Quarter of the Quarter
of Section, Township in County, Kansas, feet	South, Range(E/VV),
Ounty, Kansas, reet	North leet west of Southeast corner of section.
Authorized Rate Authorized Quantity (DWR use only: Computer ID No GPS	foot North foot West
☐ This point will not be changed ☐ This point will be cl	hanged as follows:
Proposed point of diversion: (Complete only if change is r	<u>equested)</u>
One in the Quarter of the	Quarter of the Quarter
of Section, Township	South, Range (E/W),
in County, Kansas, feet	North feet West of Southeast corner of section.
of Section, Township in County, Kansas, feet Proposed Rate Proposed Quantity	Proposed well depth (feet)
This point is: Additional Well Geo Center List other w	/ater rights that will use this point
Presently authorized point of diversion:	
One in the Ouarter of the	Quarter of the Quarter
One in the Quarter of the of Section, Township in County, Kansas, feet	South Range (E/M)
in County Kansas feet	North feet West of Southeast corner of section
Authorized Rate Authorized Quantity	Depth of well (feet)
(DWR use only: Computer ID No GPS	feet North feet West)
☐ This point will not be changed ☐ This point will be cl	hanged as follows:
	_
Proposed point of diversion: (Complete only if change is r	
One in the Quarter of the	Quarter of the Quarter
of Section, Township	South, Range (E/W),
of Section, Township in County, Kansas, feet	North feet West of Southeast corner of section.
Proposed Rate Proposed Quantity This point is: Additional Well Geo Center List other w	Proposed well depth (feet)
This point is: Additional Well Geo Center List other w	rater rights that will use this point
	•
Presently authorized point of diversion:	
One in the Quarter of the	Quarter of the Quarter
of Section Township	South Range (F/W)
in County Kansas feet	North feet West of Southeast corner of section
Authorized Rate Authorized Quantity	Depth of well (feet)
of Section, Township in County, Kansas, feet Authorized Rate Authorized Quantity (DWR use only: Computer ID No GPS	feet North feet West)
☐ This point will not be changed ☐ This point will be cl	hanged as follows:
	_
Proposed point of diversion: (Complete only if change is r	
One in theQuarter of the	Quarter of the Quarter
Lof Section :	Quarter of the Quarter
	South, Range (E/W),
in County, Kansas, feet	South, Range (E/W), North feet West of Southeast corner of section.
in County, Kansas, feet Proposed Rate Proposed Quantity This point is:	South, Range (E/W), North Proposed well depth (feet)

Change in Place of Use for Water Right 19722 Garden City Field Office Division of Water Resources Sections 22, 27 & 28, Township 31 South, Range 38 West, Stevens County





Authorized Place of Use

Water Resources

Received

0CT 04 2018 0.2 0.4 0.6 0.8





Proposed Place of Use

KS Dept Of Agriculture

All wells within 1/2 miles are on this map.

X_.

14. If the proposed groundwater point of diversion is 30	00 or fewer feet fror	n the existing point of diversion, comple	ete the following:
(a) Does the undersigned represent all owners of t ☐ Yes ☐ No (If no, all owners me	ust sign this applica	ation.)	
(b) Will the ownership interest of any owner of the affected if this application is approved as reque	ested?		
☐ Yes ☐ No (If yes, all owners m	• • • • • • • • • • • • • • • • • • • •	JLI 10 ZI	
(c) If this application is not approved expeditiously ☐ Yes ☐ No (If no, all owners mu	, will there be subs ust sign this applica	ation.) Gardon City Field	d Office
If the application proposes a surface water change in po	oint of diversion a	Division of Water P	esources
or a change in place of use, the application must be signagent (attach notarized statement authorizing represent	ned by all owners o	of the currently authorized place of use	, or their duly authorized
I hereby verify, being first duly sworn upon my	oath or affirma	tion and under penalty of perjury	y, that I am of lawful
age and the owner, the spouse of the owner, or their behalf, in regards to the water right(s) to	r a duly authoriz which this app	ed agent of the owner(s) to make lication pertains. I further verify	that the statements
contained in this application are true, correct a ∨	nd complete.	18th day of Sostem	10
Dated at Sarden Lity	, Kansas, this _	day of Socteme	<u>نعر</u> , 20 <u>18</u> .
(a) A Colombia	\mathcal{X}		el H
(Owner)	<u> </u>	(Spoulse)	forke fle
(Court ICI)		(openso) y	`
(Please Print)		(Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
,		,	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
State of Kansas)			
County of SS			15th
I hereby certify that the foregoing application v	vas signed in m	y presence and sworn to before	me this <u>10</u> day
JULIE JONES		- 181 2 DEXX 80-	,
My Appointment Expires Public December 15, 2018	S	() Notary Public	
My Commission Expires			
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. accurate information; maps, if necessary, must be included; sign the appropriate fee must be paid.	To be complete, all o gnatures of all the app	f the applicable portions of the application for propriate owners' must be affixed to the application for	orm must be completed with lication and notarized; and
	FEE SCHEDUL	<u>.E</u>	
Each application to change the place of use or the point forth in the schedule below: Make checks payable to:	of diversion under	this section shall be accompanied by t	
 (1) Application to change a point of diversion 3 (2) Application to change a point of diversion m 	nore than 300 feet .		\$200
(3) Application to change the place of use		Water Resources	φζυυ
		Received	
		OCT 04 2018	File No. 19722
DIAID 4 404 (Device of 04/5/2048)	Page 3		File No. 1911

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 19722 A change application was received on requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.

Applicable
Not Applicable 2. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _______foot radius of the authorized point(s) of diversion.

Applicable

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than ___ 5. __ feet from the previously authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☐ Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 201, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. ☐ Not Applicable stallation of the works for diversion of water shall be completed on or before December 31, 20_____, or within any authorized extension of time. By March 1, 20_____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Installation of the works for diversion of water shall be completed on or before December 31, 20 Not Applicable The completed well log shall be submitted with the required notice. ☐ Applicable Not Applicable 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. ☒ Applicable ☐ Not Applicable 11. Additional Conditions are attached. ☐ Yes ⊠ No 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY **APPLICATION APPROVED AND** If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, **SUMMARY ORDER ISSUED** you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act.) SS For Use by Register of Deeds County of ____ Acknowledged before me on ____ Signature: _____ Notary Public Miller Parl James My commission expires: _____ (Notary Seal)

File No. <u>19722</u>

Carl Steel Concerns of the Estimates

Krueger, Richelle [KDA]

From:

Meyer, Mike [KDA]

Sent:

Thursday, November 8, 2018 9:07 AM

To:

Krueger, Richelle [KDA]

Subject:

RE: Request for Recommendation Change in PU File Nos. 19702; 19722 and 23923

Wayne and Evalena Reynolds Living Trusts

Yes thanks

Mike

From: Krueger, Richelle [KDA]

Sent: Thursday, November 8, 2018 8:37 AM **To:** Meyer, Mike [KDA] < Mike. Meyer@ks.gov>

Subject: Request for Recommendation Change in PU File Nos. 19702; 19722 and 23923 Wayne and Evalena Reynolds

Living Trusts

Hi Mike,

Attached is a draft memo for the referenced changes in pu, do you recommend approval?

Thanks, Richelle

Krueger, Richelle [KDA]

From:

Jason Norquest < norquest@gmd3.org>

Sent:

Wednesday, November 7, 2018 1:28 PM

To:

Krueger, Richelle [KDA]

Subject:

19702+

Attachments:

19702+_ReviwMat_PU_110718.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless, you trust the sender and know the content is safe.

Good afternoon Richelle, you ready for some colder weather? The cool down has started here, but still not talking a lot of snow for us. Guess we will wait and see. Attached is the review for these change apps. I will send the signed letter in the mail today.

Hope to maybe see you next week at the conference.

Jason Norquest

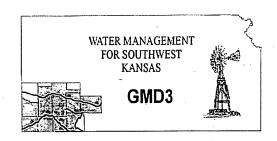
Assistant Manager, GMD3

Office: 620-275-7147 Cell: 620-271-1289

norquest@gmd3.org

www.gmd3.org





Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

November 7, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502

RE:

Change Application, Place of Use

Water Right, File Nos. 19702, 19722 & 23923

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals for change in place of use, in order to create a complete overlap in current place of use, is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b)(1). There is no new acres being proposed. It is therefore recommended that applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

WATER RESOURCES

NOV 0 7 2018

KS DEPT OF AGRICULTURE

GMD3 Change Review

File No(s).: <u>19702, 19722 &</u>	23923.	DWR office:	HQ/GC.
App filed to change: PU.	•		
Is Landowner(s) correct in W	RIS: Deed part of ap	oplications to sh	ow ownership.
If NO, is documentati	-		· ·
Is Water Use Correspondent	correct in WRIS?	,	
If NO, is documentati			
Regulation(s) Reviewed: KA			
Point of diversion ID No(s)	****		
ft. North	ft. West		
Authorized PD			
Proposed PD		· · · · · · · · · · · · · · · · · · ·	
Difference C	0		
	0, 1	0,	
GPS for proposed PD: Lat: _	-		
Is proposed PD stacking on e			
Is Proposed PU overlapping	existing WRs? <u>Make</u>	a complete 100	% overlap for all three
WRs.			
Land Owner(s) notified:			
Name	Name		
Address	Address	•	
Zip	Zip		
Neighboring certified well(s)	notified:		
Name	Name		
Address	Address	•	Water
Zip <u> </u> .	Zip		RECESOURCE
Domestic well(s) notified: _	_·		WATER RESOURCES RECEIVED
Name	Name		' 11 '7' A-
Address	Address	$K_{i,j} \sim 1$	2010
Zip	Zip		DF AGRICULTURE
Base Acres:			OUE
Perfected Acres:			•
rr. Return-Flow%		·	
19702: 274 acres, 260AF @	890gpm		
23923: 274 acres, 188AF @	810gpm, currently o	verlapped in P	ľ
19722: 153 acres, 260AF @	705gpm. Deed for n	ew ownership	states the 7 acres in
NE of NW is officially not p	art of the land and ov	wned by some	ne else.
s a waiver needed: NO.	•		
Final Recommendation: Aft	er review of all availat	ole information,	it appears the
proposal meets current area re			
RR acres. Staff therefore rec		_	
	•		Λ

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502

PHONE: (785) 564-6700 Fax: (785) 564-6777

STATE OF KANSAS

900 SW Jackson, Room 456 Торека, KS 66612 Рноме: (785) 296-3556 www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO 3 ATTN JASON NORQUEST 2009 E SPRUCE ST GARDEN CITY KS 67846 November 1, 2018

FILE COPY

Re: Water Right, File Nos. 19,702; 19,722; and 23,923

Dear Jason:

We are enclosing copies of the applications to change the place of use for the above referenced file numbers.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger Environmental Scientist

Water Appropriation Program

Enclosures

pc: Garden City Field Office



Change Review, PU: 19702, 19722 & 23923



3,200 ft Wells CON MUN THX 250 500 1,000 m Other **DEW** REC **Empty** HYD **IRR** DOM STK

Sections

IND

GIS Workshop, LLC.



